

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Tuesday, November 10, 2020 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Edward A. Lachterman, Councilman
Vishnu V. Patel, Councilman
Alice E. Roker, Councilwoman

Also Present: Diana L. Quast, Town Clerk
David Paganelli, Highway Superintendent
Adam Rodriguez, Town Attorney

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilwoman Alice Roker, seconded by Councilman Thomas Diana, the Town Board voted to go into Executive Session to discuss the employment of a particular person and negotiations. Upon motion made by Councilman Lachterman, seconded by Councilman Patel, to move out of Executive Session and return to the Work Session.

PLEDGE OF ALLEGIANCE

Supervisor Matthew Slater led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked for a moment of silence to remember the brave men and women who defend our freedoms; especially for the U.S. Marines Corps who celebrated their 245th birthday today. He also asked to remember some of our neighbors; particularly John Gembecki who passed away this week, the family of Edwina Rance, who passed away earlier this year from COVID, and Isabel Cavanaugh also who passed away earlier this year from COVID. Supervisor Slater asked to keep in our thoughts and prayers our entire community and those impacted by COVID, as well as our front liners, our teachers, and all of our first responders.

INTRODUCTIONS

Supervisor Slater introduced members of the Town Board, as well as Town Clerk Diana Quast and Town Attorney Adam Rodriguez.

CODE AMENDMENT 1952 COMMERCE STREET

Supervisor Slater introduced Building Inspector John Landi, Joe Riina – Site Design Consultant, Dominic Riina, Jack Xiao, and Gene Vetrano to open the discussion regarding a potential code amendment and asked Mr. Joe Riina to begin.

Mr. Riina said the property in question is on the corner of Commerce Street and Veterans Road. He said the most recent use of the property has been real estate offices going back for some time. The owner of the property is Jack Xiao and is also the sponsor of the proposed project. Mr. Xiao would like to put on the site a boutique hotel. The site is about one third of an acre. The hotel will have three floors of use. The main floor will be the entry, lobby, and lounge areas. Sleeping quarters will be on the second and third floors, and there is a planned use for the roof. The entry to the site would be off Veterans Road. There are 17 parking spaces, two of which will be underneath the overhang of the first floor of the building, which is where the trash enclosure would also be located. Mr. Riina said they are also looking at taking part of Veterans Road because they feel this area is a lot wider than what is necessary for three lanes. They would take advantage of that and push the curb out to bring the sidewalk around so that the existing trees could be saved.

Supervisor Slater remarked that there is no sidewalk there currently and Councilwoman Roker said this corner is also a hard right hand turn. Mr. Riina replied that there is actually more room than necessary for a turn there.

Mr. Riina spoke about the parking at the location. He said based on their count of what is needed for the project, including all the uses, they are projecting a need for 32 parking spaces into a short 15. He said the community parking across the street and the parking available on Veterans Road

will help accommodate this need. Mr. Riina said the property is currently zone C2-R, under which there is no provision for this type of use. He said, if they want to move forward with this application, they would either need to have a zoning change or ask for a code amendment to allow this in the C2 or C2-R zone, which he feels is a better option since he feels this type of use would fit right in to the downtown area.

Councilwoman Roker asked for other types of uses in a C2-R zone. Mr. Riina said that C2-R zones have businesses on the first floor and residential uses on the floors above. He cited the building on Kear Street as an example – first floor is jewelry store, barbershop, daycare and the floors above are residential. He believes this project is a morphing of that, which would really work. He said that he has been working with John Landi and John Tegeder in developing the concepts that has brought this to a realistic plan. It needs the endorsement of the Town Board to possibly do a code amending.

Councilwoman Roker said the Supervisor told her about the project and she thinks it is a natural fit, especially since the Cultural Center is right across the street. Mr. Riina said the theater is there, as well as restaurants within walking distance.

Mr. Riina said he would turn the discussion over to Gene Vetrano who would take the Board through the building and explain the design. Supervisor Slater asked Mr. Riina if this had just been updated with John Tegeder and Mr. Riina said yes, these are the latest elevations and Mr. Tegeder has seen them.

Building Inspector John Landi said he had seen some of the latest preliminary designs and thought they are heading in the direction that had been talked about in their last meeting and felt that Mr. Tegeder would say the same.

(Plans were displayed)

Gene Vetrano, Salvatore Manini Architects, introduced himself and said he has been working very closely with Jack Xiao and Joe Riina, John Landi and John Tegeder, in getting the tweaks to the point that they are at now. He wanted to make sure that it was understood these plans are still considered conceptual, although he feels they are beyond conceptual at this point. Mr. Vetrano said that, hopefully, once the Board acts on their request for an amendment within the next few weeks, they will be ready to go before the Zoning Board because they are going to have to request variances. He said they will be prepared to go before the Planning for a site plan approval, as well as ABACA. He mentioned that his firm is the architect of record for the Atlantic Appliance project in town. Mr. Vetrano said he has had preliminary meetings with both John Tegeder and John Landi and has shown some of the preliminaries to Supervisor Slater.

Mr. Vetrano said the building is three floors above grade. They are proposing some action happening on the rooftop and the building will have a partial basement. He said he would let the Board know what that would be based on the footprint and the building below the east side of the building, which is right up against the property line of the adjoining building. Floor plans and constructions plans were discussed. Mr. Vetrano said the name of the project would be the Hotel Gardena. A double entry has been created if there are any weather elements when you enter off Veterans Road. This leads to the lobby registration area. There is also a lounge area that is just under 500 square feet that would be for hotel guests. A café is proposed in the right front corner of the building, which is approximately 900 square feet. This will primarily be for hotel guests, although they have made an allowance for access from Veterans Road for anyone else who may want to use the café. They also plan outside seating in front of the café, as well as a terrace area.

The following is the discussion Mr. Vetrano had with the Town Board and Building Inspector John Landi:

Mr. Vetrano: Obviously, we're always looking at code compliance and we've been meeting with John Landi to go over the code to make sure we're meeting the required code. Then we have a second set of stairs, which is our secondary means of egress from the top floors that's going to bump out just a little bit on the variance.

Councilwoman Alice Roker: What do you need a variance for down there?

Gene Vetrano: We made a grant for coverage – our coverage is 1,530 square feet. So we may require a variance for coverage. We're going to request a variance for heights. Again, there is a parking issue which, Joe, you'll have to let me know if we have to request a variance for parking?

Joseph Riina: We will. The Planning Board can grant a 25% deduction, but we're closer to requiring 100% variance, so bottom line is 75% variance on the parking.

Gene Vetrano: If you notice on Veterans Road, the building is stepped. The total length of the building is 97 feet and it's 54 feet deep, on the right side it goes down to 45 on the left. We stepped it back because Veterans does turn; it's not perfectly perpendicular to Commerce. So if you'll note, we're within the building envelope – see that dashed line? That's the building envelope; so that's the reason for the step back. We're zero clearance on the east side but, again, we stepped back the building so that we're not excavating right along that existing retaining wall.

Supervisor Slater: We still have the stairwell.

Gene Vetrano: We discussed this with John and our feeling is that this is an architectural feature. So we're looking for a way that we could pop some of that stairwell out. What we did, based on that last meeting, we took the advice that we pull it in, but it affected the footprint and the way that the inside worked so terribly that we decided to push four feet out so that we don't...

John Landi, Building Inspector:

I don't mean to interrupt you, Gene, but I thought towards the end of the discussion, that's what we decided we were going to put the doors on that four foot projection.

Gene Vetrano:

Yes, John, that's exactly what we did. So if you notice there on the east side of that projection, that's the three foot door.

Supervisor Slater: That's leading onto Commerce Street.

Gene Vetrano: Yes.

John Landi, Building Inspector: Again, I don't mean to drop the gun, but at that meeting we did discuss it being an architectural feature and that's what it was.

Gene Vetrano: Thanks, John, I appreciate that...the grade there, that the face elevation of our first floor is down approximately two and a half feet to three feet from the average grade on Commerce, so obviously, there'll be a little terraced area there so that when you come out that second set of stairs, you'll be a grade level, you'll turn south to go towards Commerce and halfway down that path you'll have steps up.

Councilman Patel: Will you have individual air conditioners for each room or central air?

Gene Vetrano: We have not gotten to that point where we've given these tweaks to our MVPs yet, but yes, there will be individual units. That is our plan – individual units in the 16 guestrooms. Obviously, there'll be rooftop units to supply the lobby area, anything we need down in the basement, and then what we're proposing up on the rooftop, but there will be individual units in the guestrooms.

We'll go on to the next floor. If you look over towards the left, which is north, those three columns to the left... and that's where we have the additional parking, and then you'll see that the stairs, the second set of stairs go out, that's another means of egress. There's also egress from the first floor. So we've met egress at three locations.

The second and third floors are exactly the same. We have proposed eight rooms on each floor; the code requires that we have one ADA compliant room. Jack has been involved with us in designing the layout of the flow of the bathrooms. If you'll notice, there are four suites. The largest suites are just over 500 square feet. There's a Junior Suite that's 364 square feet. The next three rooms are just over 300 square feet apiece, one is 420 square feet and the handicapped room is 340 square feet. If you go down to New York City, those rooms are probably around 150 feet down there. I think

anywhere from 250 to 300 square feet is a real comfortable room. The rooms that we've established with Jack to be suites have little extra features and are over 400 square feet.

Let's go to the rooftop. What we propose for the rooftop is a rooftop bar and grill with outdoor seating, as well as indoor seating. We will have a tapas bar or perhaps a larger kitchen with a full bar. The majority of the wall that are facing south will be glass. Some of them are holding so that in good weather, Jack will open up those doors, they'll swing back and his patrons will be able to walk from the outdoor rooms to the indoor. We're going to surround that with a 42-inch parapet wall, which will as serve as shelving, and then we have another three and a half feet of glass so that anywhere up on that rooftop you have a perfect view of the south and west to see the sunset. Actually, the stairs also now have to up to that point. If you notice over on the right-hand side, you'll see a lit bit of a rooftop and a square. Based on our last meeting with John Landi and John Tegeder and some great ideas from Jack, we determined that we're going to make that a clock tower. Perhaps when people in Yorktown want to meet downtown, they could say "we'll meet at the clock tower." There are two toilets up there – ADA for women and ADA for men – obviously elevator and stairs go up to the rooftop. Left side is going to be mechanical so we'll definitely provide screening for that. We do have the parapet wall that goes up three to eight feet. Just as we did at Atlantic Appliance, if we have to do more, we'll provide higher screening so that from anywhere down at street level, if you look up, you will not be able to see any of the tops of the mechanical equipment.

So, the outdoor seating – with code allowing, we're going to have perhaps some fire features – propane fire pits, a water feature. We'll provide cubbies and seating areas, maybe u-shaped with some nice high-back sofas with a fire feature or water feature in the middle. Obviously, Jack will then have service to the outdoor seating area, as well as indoor. We did not show any table tops or any seating; we're going to defer to Jack and his brother to come up with a design scheme. We'll make sure that we incorporate proper lighting and flow and everything else to accommodate his furniture layout. I don't want to put Jack on the spot, but I'm assuming that he and his brother are going to develop some nice interior and exterior elevations for us for the rooftop.

Councilman Lachterman: The mechanical area up top – where is that? North, south?

Gene Vetrano: That's north.

Joseph Riina: It's facing the oil company.

Supervisor Slater: Could you give us some streets to help orient people?

Gene Vetrano pointed out the surrounding streets.

Gene Vetrano: This is about the fifth or sixth iteration. We are still working on materials. We're still working on colors. Based on the last meeting, we felt that the hip roof up on the rooftop fit the site on the building better than any other option we had. We tried a flat roof, we tried a gabled roof, and a combination. On the right side, which is the south wall, we have a stair tower we need to cover because I have to be 9 feet above that finished floor and the suggestion came up about putting a clock tower up there. From the clock tower to the middle of the roof I will add, and this is one of the variances we will be asking for, it is 50 feet above grade and the code is 35 feet.

Councilwoman Roker: You have to go to New York State for that variance, correct?

Gene Vetrano: We may, yes. The midpoint of the hip roof is 41 feet above grade and, again, we're taking the average grade.

Councilwoman Roker: Why don't you have the glass on the other side of the roof?

Gene Vetrano: We had them there but are trying to be cost conscious. That glass partition is quite expensive, per square foot. We'll do something decorative up there. When it's time to go before ABACA, we'll come up with a material so you can't see anything up there.

The south elevation (showed drawing) is where everyone can meet when they're walking down Commerce Street. This is facing 7-Eleven. Keep in mind here, this grade is also up, so even though we go down at the finished floor elevation, the grade is actually up about 3 feet. Again, there'll be some garden walls so that when you come out of that stair tower, you'll be at finished floor elevation

and then walk up. The other thing is that those stair towers have to be fire rated, so in all probability when we make our final presentation, where we show those windows and glass, they are not going to be true windows. They'll be glazed and they'll be backed with a material and a color that goes along with the rest of the décor of the building. That stair tower, along with the front stair tower, has to be fire-rated construction.

If anyone has any questions, I'd be more than happy to answer them.

Councilman Patel: In reference to the YCCC, how will the building design conform to the YCCC?

Joseph Riina: We tried to conform it to the surrounding building.

Councilwoman Roker: I think you did.

John Landi, Building Inspector: The clock tower really changed the look of that building.

Councilman Diana: It looks nice. I don't think Visnu has a screen to look at and that's why he's asking that question. He's on the phone. It kind of does mimic the school.

John Landi, Building Inspector: What we were discussing in that meeting, like Joe Riina said, is blending the two and I think they're really close to doing that now. It's come a long way from the original design that was shown to us.

Supervisor Slater: Compared to where we started and where we are today is night and day. The brick is there to try to marry it to the building across the street.

John Landi, Building Inspector: I really have to thank Joe Riina, Dominic, and Gene on this because they really listened to everybody and they really put it into the design.

Councilwoman Roker: I think your amendment request is really the smarter way to go because if we already have buildings that have both commercial and residential in them in other communities, why not do it in this one? I think that this is the smarter way to go.

Supervisor Slater: I agree. I think it makes sense if we can help move the project forward.

Councilman Lachterman: I have no problem saying I absolutely love the idea.

Supervisor Slater: This is something we just did with storage over at the Toys R Us building. I think we're going to be amending the code for use to help that other business come to Yorktown. We've done it before recently and I think it makes sense to do it here, as well.

Gene Vetrano: Thank you all for your support.

Councilwoman Roker asked what the next steps would be. Mr. Riina said this code amendment has been done before (ex. Field Home, Kear Street), but does not know how it works behind the scenes with what the Town Attorney has to do to put it together.

Supervisor Slater recommended that a meeting be scheduled with John Tegeder, John Landi, Adam Rodriguez and himself, Joe Riina and Jack Xiao's team to discuss the amendment. The amendment can be brought back to the Town Board as a proposal and go through the referral process.

Councilwoman Roker asked Mr. Riina if he would work with Highway Superintendent Paganelli on his plans for Veterans Road. She said she was not sure if he would agree with the changes.

Mr. Riina said he has not introduced the idea to him yet. He said he and John Tegeder came up with the idea when they were on the site. They were trying to save the trees and still get a sidewalk connection. He said they came up with this concept because they took some measurements and found there was plenty of room.

Councilman Diana said this would be a reason for keeping the school buses off that particular road. He said the reason the light was put on Route 35 was that turns such as this make it difficult to get in and out. He also suggested putting a weight limit on the road.

FACILITIES ASSESSMENT – LABERGE GROUP PROPOSAL

Supervisor Slater introduced Ben Syden from the Laberge Group. He said the Town has already done some projects with them regarding grant applications and he is here this evening to discuss the potential of a facilities assessment. He said the Town Board has preliminarily discussed the need for a facilities assessment because the Town has a number of aging buildings that are currently being utilized. The last facilities assessment was completed was in 1995. Supervisor Slater thanked Rene Fogarty for lending him the report. He said it was very accurate to the Town's present condition, unfortunately, and that is why the Board believes it is important to embark on another facilities assessment by an independent group. He introduced Ben Syden to discuss the potential facilities assessment for Town Hall, Highway Garage, and the Recreation Department facilities over at Sparkle Lake.

Ben Syden also introduced Jim Clarke, Managing Architect, Laberge Group. Mr. Syden said when they began working with the Town during the needs assessment phase for grants, the building issues kept coming up as a preeminent need – the senior building, the double-wide youth recreation building, Town Hall. Most recently during the discussions was the potential need for a million dollars for a new boiler at the Highway garage. The question is always, “What can we get”? It is also a question of “What do you need?” which helps Laberge figure out what kinds of grants, loans, and financing can be attached to a project. Mr. Syden said during the need assessment interviews he asked the question about feasibility studies, numbers, and what is the path moving forward. The Town did not really have one. He said that in any application you apply for, whether it is a grant or a loan – wherever you are looking for funding – if you do not have a feasibility study that shows the need, you cannot get the money. Mr. Syden talked about the steps that need to be done for a feasibility study, needs assessment, and an objective independent review of the building conditions, all the while simultaneously working along a parallel track. He said this parallel track happens to be with your highway facilities and with the youth and recreation building. Mr. Syden said the Town has a very aging infrastructure at the highway garage and the ancillary buildings. He said part of this discussion is not just the building condition but also space programming and concept planning. It is understanding what the needs are today but also what the long-term needs are going to be in 20 or 30 years. So part of our discussion isn't just the building condition that Jim does so well, but it's also our space programming and concept planning. It's understanding what your needs are today but really what are your long-term needs going to be in 20, 30 years because this is not just a building for today, but one that will last for at least the next 50 years.

Mr. Syden and Mr. Clarke then gave a slide presentation regarding the Highway Garage, Town Hall, the Senior Center, and Recreation Department. He said their approach to their projects is not simply an architectural process but three phases. It is the building's condition – assess structural and mechanical system deterioration of buildings, and determine corrective actions necessary to address the deficiencies. It is efficiency & effectiveness – facilities that support a high standard of service delivery, and increased efficiency fueled by improved location and facilities. And finally, looking at your cost & time effective execution – realistic opinion of cost, investigation of cost saving opportunities and alternatives, integrated grant strategy, maintain affordable tax rates, anticipate and pre-empt issues. He said you do not always know what is going to happen in construction and their job is to try to identify and mitigate as much as possible during that facility assessment.

The following is the discussion that took place during Mr. Syden and Mr. Clarke's presentation:

Ben Syden: We have three main phases of implementation – how we go about doing these projects. Number one is your building condition; identifying building deficiencies in all four buildings plus the ancillary buildings that you have at the Highway Garage – it's not a simple, small highway garage; it's huge. Number two: then we have to look at the needs assessment and identify all the priorities and allow you, as a Town Board, the Town Engineer, your Highway Department, to figure out what are going to be your priorities for addressing your deficiencies. Each building is different, each timetable is different and all four buildings have to be looked at along a four parallel track system. You can almost stage each of your issues as to how you address your building deficiencies by funding availability, building condition, and programmatic needs. Number three is space programming and conceptual design. What's a little bit different is how we go about doing this in number four, which is how we link together your funding mechanism and how we stretch each project to include shared service opportunities. Pre-COVID, many grant programs were set up typically for government operations and efficiencies and share services. So when we look at our differences as to how we do things at Laberge Group – it's not simply an architectural program –

it's our entire array of services; our engineers, our site planners, our MSW specialists, our grant writers. It's a collaborative approach between us, you, and departments to identify how you can turn those grants and reports and grant writing into grant success for you. The last part of this slide talks about capital planning, and I think the Supervisor may have been at the Association of Towns meeting where we shared a copy of a Capital Programming presentation that we gave in Training Our Towns, and the important part of public involvement in capital planning is to get them to buy into your process; explain to them why your buildings have to be done. It's not simply "give me a blank check"; it's going through the feasibility study. You can take them through pictorially what your deficiencies are and, more importantly, what conditions your staff is working in. The best way to get public buy in is to bring them through the process, to see what you see, and have them understand that the next 30 years is contingent upon decisions you make today. That's where Jim, Dan, and our entire staff comes in to assist you with the feasibility study.

Jim Clarke: To reinforce a little bit about what Ben was talking about, the interactive nature of the team approach here is more than evident in the kick-off meeting, the coordination meetings, individual interviews with the stakeholders where we gain the knowledge and experience of how they actually operate their departments and that's invaluable. They've been able to make 1950s buildings stretch out twenty, thirty years past their useful life. However, there are probably a lot of compromises they had to make along the way and in order for you to do the kind of capital assessment planning for the future, you really need to have an in depth discussion of not only what the current needs are of those facilities, but where the individual department heads see themselves going in thirty years. That's key and certainly goes part and parcel to Ben's kind of "funding quilt," if you will.

Ben Syden: When we do that, we design to your overall budget. We start with your wish list – what is everything you think you would need today and the next twenty or thirty years, and then from there we go into budget, we look at different scenarios, and then look at what you need. We balance your wish list, your budget, and your needs to come up with a plan of action that works directly for you in each of those buildings. You want something you can buy in both politically and publicly and financially, especially given the challenges we're seeing during COVID.

Jim Clarke: The site assessment component of this is almost as important as the facility component because if you're operating on too tight a site to do the things you currently have to do, you actually cause problems with the other operations. It's not just the facilities, it's the site that the facilities are located on. We can bring not only space programming, but also site programming to determine how it's best for you to use the dollars that you have.

Councilwoman Roker: The interesting thing about Town Hall is the two wings that are on either side of it were put in in the mid-1950s. I read the newspaper report that said that even though the wings were put on to give us space, Town Hall was still too small, and we're talking 1955.

Supervisor Slater: If you talk to our Building Inspector, he'll tell you he doesn't have enough room downstairs for his files. We do have operational deficiencies that are related to work setting, but there's something I want to confront head on. We all know the Highway Garage was an issue that was brought in years past; it got very political. I think that the key here is having an independent, objective assessment – take the politics right out of it. We're not saying we need to replace the Highway Garage; we're saying let's take a look at an assessment and see what that data tells us we can do – can we retrofit the current Highway Garage? Maybe. I personally couldn't tell you and that's why you go to experts in these types of matters and get that independent evaluation. If you look at our Parks and Recreation building, it's basically a double-wide trailer with a blue tarp and they continue to have significant issues within that workplace. But again, is the best investment of our dollars to fix what's there or is it better for us to take the time to take an assessment done by the professionals and determine if it's better to take that money and put it elsewhere and begin the needed process of finding a new home for our Recreation Department and help them grow and enhance their programs. We have to do this with the right direction and take the politics out of the conversation. We have an opportunity, and I think we owe it to the taxpayers because this is ultimately what it is – where's the best investment of taxpayer dollars going? Not just for today; it's for the next generation. That's where I think something of this type of exercise is a good investment of our dollars, it takes the politics out of it, it gives us a plan moving forward so that we know what we're working towards instead of everything being an emergency, which I feel happens more times than not because there is no definitive plan when it comes to our facilities.

One of the things I've talked about with the Board and the Highway Superintendent is garbage. If Yorktown ever wants to think about and explore the idea of in-housing garbage, we need to have the facilities to do that. Right now, we don't. These are the conversations we need to have when looking at the future of Yorktown and we need to do it in a way that engages people who are experts, who are objective, who are independent, and we pull the politics right out of it and we focus on what is best for the town and what are the best solutions for the town.

Ben Syden: And it allows you develop a capital plan. That's the big part – it allows you to do a capital plan even for the next five or ten years.

Councilwoman Roker: Can we – and Matt this is something you would have to coordinate – tell you where we have vacant property?

Supervisor Slater: Yes, and that's one of the things you saw in Ben's presentation and one of the last pieces of their proposal is their future concept plan and space program. There was a proposal to move the Highway Garage from Front Street to Greenwood Street; we could give that to them and say does it work? Give us the pros and the cons and you have an independent, objective assessment of the proposal that we, as the Town Board, can base the best, educated decisions. That's what I'm trying to accomplish here and why I think it's really important – not only the fact that from a time standpoint a lot has changed in thirty years but our buildings remain the same.

Councilwoman Roker: I think, if we're being honest, we have to do is look at all the facilities we have, and I think that will give us better overview of what we have and where we need to be going.

Supervisor Slater: We did start we these three because they were the most focused on. The Capellini Center is a whole different animal – Ben and I spoke about the Capellini Center.

Councilwoman Roker: That has to stay on the side.

Councilman Patel: The heating and energy cost have to be reduced to save money. Two percent cap has to bring some money some way to complement that gap. We can't say all the time we can do everything for free. Maybe a low interest rate bond? Ask the public what they want to do.

Councilwoman Roker: I think that's something the department heads will bring up with Laberge.

Supervisor Slater: I think it's important that we have a plan of attack. Again, you can't do it with "back of the napkin" math and you can't do it with hunches. You can't make the best educated decision that way. I think this is a valuable investment of our time, a valuable investment of taxpayer dollars to make sure the decisions we're going to make are the ones that are best for our town.

Councilwoman Roker: So let's do a resolution that would get this rolling.

Supervisor Slater: We can definitely do that if the Town Board is amenable. We can put that on next week's agenda and that gives Adam (Rodriguez) time to go through the contract one more time. The only other thing the Board needs to decide if they want to go as far as the future building space program concept plan because that is an additional cost, or do we do just the assessment first and the assessment report and we see what that looks like and then go to the next step.

Councilman Diana: I think the latter is the way to go, Matt. Have them come do the assessment and then move forward to the next step.

Councilwoman Roker: Wouldn't that cost more money? Wouldn't it be more effective if we did them both at the same time?

Jim Clarke: It's a really valuable tool to have in your possession, not only a facility assessment, as well as the department heads analysis of operational needs and putting that into a spreadsheet for space programming, number one – it's not a difficult thing to do. Number two: correlating a space program to a space concept design and what you need for a site area for staging, circulation, landscaping, all that kind of stuff, in a generic kind of number or a diagram, is really not a difficult "heavy lift" in terms of dollars. They're relatively simple things.

Ben Syden: The reason why we recommend doing them both together is that it gives you the self-assessment tool to understand this is what exists today, here are my deficiencies, and here are my short-term, mid-term, and long-term needs and the cost versus the cost to build this conceptual space program. It gives you the tools so you can decide which way you want to go. You can either go back and fix what you have and make short-term improvements or go long-term with capital programming. As Councilman Patel just said, he mentioned a bond; this is the best bond time you're ever going to have with the lowest interest rates ever. If you want to move forward in that direction, you want to do it before the economy comes back and the interest rates go back up.

Councilwoman Roker: Well, it would make sense so that you can develop a strategy for where we are and where we're going and how we're going to get there. I'm good with that.

Jim Clarke: Again, to have a really good assessment of the facilities also needs to be is to prioritize the needs of each one of the facilities, and you do the same thing with a new facility, so that you can put all of that into some sort of matrix and help make this a potentially less subjective opinion about what should be done and where you should spend your dollars first, second, third, fourth, and fifth, depending on what's available.

Councilman Patel: I have attended your annual meetings in NYC for eleven years and every year they're very good; I've learned something new and it's about time we do something in our town to be able to move forward some of these things so we can use them for generations to come. Let's do something quick and find out your recommendations and next steps.

Supervisor Slater: So we'll come back together next week. We just have to check off some more boxes on the procurement side so that we're in compliance with the procurement policy and then we can, hopefully, move ahead expeditiously to move this forward. I think it's a great thing for the town.

Ben Syden: Thank you very much for the opportunity to meet with you tonight. And thank you, Councilman Patel, for being one of our long time visitors to our conferences and our sessions.

NORWEST SERVICES CONTRACT

Supervisor Slater introduced Parks & Recreation Superintendent James Martorano to discuss the services Nor-West provides in town.

Superintendent Martorano gave a brief history of Nor-West. It was started between the municipalities of Peekskill, Cortlandt, Ossining, and Yorktown about 47 years ago in an agreement to help people with special needs with recreational activities. During this time, Yorktown has paid a portion to fund Nor-West. He wanted to mention that back in March 2020 he was looking to send out our normal municipality agreement to all the other towns (Yorktown is the only town that requires that portion of the agreement to be sent out to all the other towns; they just pay the invoice because of the prior agreement) but, unfortunately, COVID hit and Yorktown had a spending freeze and it never went out. Nor-West continued to run their programs for people in Yorktown with special needs but Yorktown did not pay their portion of that agreement. Superintendent Martorano said he was before the Town Board to ask for a resolution to pay Yorktown's portion, which is \$38,232 and is in his budget.

Supervisor Slater asked if the Town Board had any questions and Councilman Lachterman asked if Nor-West had been running their services the entire time and Superintendent Martorano said yes. He said they were running many outdoor services due to COVID precautions. Yorktown was not allowing them to run programs in the Town facilities, but Yorktown residents were going to other towns that would allow them in their facilities over the summer months.

Councilman Lachterman asked if Superintendent Martorano knew the participation levels for Nor-West. Superintendent Martorano referred his question to Chris Morabito, Nor-West Director, who was signing into the Zoom meeting.

Supervisor Slater said as a point of reference for the Board, this was originally passed as part of the Town Board's reorganization meeting in January so, as long as the Board is amenable, a resolution is not needed since it was already approved and the Board can execute the necessary contract. (*Mr. Morabito signed in.*) Supervisor Slater asked Mr. Morabito to describe for the Town Board the services that Nor-West has been providing to our residents during COVID. Mr. Morabito said their

programming was paused on March 13 and approximately four weeks later the NYS Office of Persons with Developmental Disabilities authorized tele-health services and, in their case, that would specifically mean “tele-respite” so they started to do some Zoom classes. They have been doing 4 of those per week. Once the summer started, they were able to secure some outdoor facilities and ran 3 weekly in-person programs over the summer, as well as their Monday through Friday Prep-Program for 13 through 19 year olds. In the fall they continued with the four Zoom classes, as well as holding four in-person programs. Mr. Morabito said that winter is going to change the landscape regarding COVID and he was not sure how much longer they will be allowed into the facilities they are currently using.

Councilman Lachterman asked what type of participation levels Nor-West has had from their normal participation. Mr. Morabito said their participation is down between 60-65%. He said they did a survey early in August with their constituents to try to gauge the appetite for in-person programs in the fall. He said first, there were not many surveys that were returned. They sent it online as well as mailing them but did not get a great response. He said that normally when they send a survey out, they get about 35-45% response, which is an excellent response. He said he was not sure if people were not interested in coming and just discarded the survey. The results of that fall survey demonstrated that approximately 60% of their participants’ families were not comfortable with in-person programs. He said they were able to resume their bowling program and it ran exactly one week before the Bowling Center at Jefferson Valley in Yorktown had a COVID outbreak, so they had to close that down for two weeks. Obviously, this scared away some parents and they lost 5 people who dropped out after that incident.

Councilman Lachterman asked how this has affected the program financially and Mr. Morabito said it has been horrific. He said their stream of revenue is down to a trickle. He said the irony is that last year 2019 the agency enjoyed its most successful billing since the program was put into the Medicaid program. Prior to that it was a lump sum funding arrangement directly with OPWDD, and when it transformed to the Medicaid model, all the billing was directly tied to attendance. If someone did not show up for whatever reason, Nor-West cannot bill for that person for that particular day and time. He said, obviously, not having people coming out has been devastating to them; their fund balance is the lowest it has been in his 25 years. He said it is down to about \$88,000 and that is very, very low.

Councilman Lachterman asked if Nor-West receives any reimbursement on tele-health and Mr. Morabito said they do. He said they can bill for those people who live and home and sign in. He said people who live in residences alone are not eligible for that but they can still attend and they do, but Nor-West cannot bill for them. He said they are trying to gauge the appetite for Zoom. He said since a lot of their participants are already getting a lot of Zoom classes/sessions throughout the day and may consider Nor-West’s sessions too much. He said the tele-health reimbursement is a little bit of revenue and said it is “keeping the lights on,” so to speak.

Supervisor Slater said it was his understanding that there is a collection of other municipalities included and he asked Mr. Morabito about their level of support. Mr. Morabito said that Nor-West was the first entity in New York State to have this shared service delivery for people with developmental disabilities that started in 1973. He said the founding fathers, so to speak, had a lot of foresight in creating the program and also in crafting the intermunicipal agreement in perpetuity. He said they are the smallest of the consortiums, if you will, the Northeast Special Recreation has 12 communities and the Southeast consortium has 9. Nor-West has 4: Peekskill, Cortlandt, Ossining, and Yorktown. Yorktown’s contribution is currently at \$38,232, which is at the 2008 level of funding; it has not increased since then. Peekskill’s contribution is \$50,000 and that amount has been increased significantly from 2018 up to \$50,000. Ossining is at \$28,373 and Cortlandt just bumped theirs up last year from \$50,000 to \$60,000. The total is \$176,000 from the four communities and that’s approximately 32% of our budget.

Supervisor Slater asked if the other municipalities have upheld their financial obligations and Mr. Morabito said yes; the by-laws stipulate that the payment be made by February 15 of the calendar year and everybody pays them without question. The only issue they have had over the last 9 years has been Yorktown.

Councilwoman Roker asked even though the people in Yorktown are at a low level of engagement asked if they didn’t have Nor-West, what else would they have and Mr. Morabito said there are other agencies in the County that provide similar services. He said Nor-West has unique services; prior

to COVID time, they did a lot of day trips and overnight trips, they frequented the city, whether it was Broadway or sporting events, and trips to various parts of the state and other states. He said that is one of the things they can do because they have a fleet of vehicles where some of the other agencies do not have that ability.

Councilwoman Roker said Nor-West has been in Yorktown since she came to government in 1990 and she does not understand why the Town is not handling this properly. Supervisor Slater said he does not understand what the issue is either but believes all the other towns paid their share and it sounded like, from Superintendent Martorano's discussion, the payment got delayed because of COVID. This is an annual obligation for the Town of Yorktown and asked Superintendent Martorano to confirm. Superintendent Martorano confirmed this and said that Yorktown's agreement requires him to send out agreements to all of the other Town Supervisors. He said he does not know why Yorktown has done it this way for the past 9 years or so but this is what caused his delay in February when he was putting those agreements together for those other municipalities.

Supervisor Slater asked Mr. Morabito if other municipalities do this in a similar fashion or if they went directly to him. Mr. Morabito said not exactly. He said when this started in 1973, they wisely decided to craft it in perpetuity to avoid the very issue of going from an annual basis from one community to another, to another, etc. to sign these documents. That did not occur until about 2011 when, he thought it was Yorktown that brought the point up that it should be updated, so the Town of Cortlandt took it upon themselves to update the agreement; it was circulated and signed. About the same time, the Yorktown town attorney thought that the intermunicipal agreement was an agreement between the four communities – not an agreement specifically with the entity Nor-West – so they wanted a separate agreement between the Town of Yorktown and Nor-West. Mr. Morabito said he actually drafted that agreement, initially, and signed it himself for the first two years. It then became apparent that they thought the Cortlandt Town Supervisor should sign that and then he was out of the loop as far as that document so he has never seen that since 2013.

Supervisor Slater said that Cortlandt does not require a contract to be signed by other municipalities, nor do Peekskill and Ossining, and asked the Town Attorney to correct this, as it just seemed silly.

Councilman Diana asked if Yorktown pays the Town of Cortlandt the \$38,000 to run this program and Mr. Morabito said the check comes to Nor-West. The Town of Cortland administers Nor-West's finances. He said when the agency first started, it was Peekskill that was charged with that administrative and bookkeeping task and the thinking was that every five years it was going to rotate from one community to another, so it spent five years in Peekskill and moved to Cortlandt. At that point they realized how challenging it was to uproot an agency and move it in terms of everything from letterhead to parking to benefits. So it was not feasible and stayed in Cortlandt.

Supervisor Slater said he wanted to apologize on behalf of the Town. He said he did not understand how in 2011 it got so complicated but said the Town would modernize and streamline this to avoid falling into the same trap every year.

Councilwoman Roker asked Superintendent Martorano if Yorktown received a grant from NYS for \$25,000 for this and Superintendent Martorano said not to his knowledge but would research it. Councilwoman Roker said the Town used to.

Supervisor Slater said the Town Comptroller, who was monitoring the meeting, said the Town does not receive the grant.

Councilwoman Roker said every organizational meeting she attended, this was in minutes.

Supervisor Slater said he would check with the Comptroller but she has told him that since she has been here the Town has not received a grant from the State for this particular program. He said he hoped that the Town would count it toward their shared services program because obviously it is a shared service with other municipalities and the Town should make sure that it's counted when we do that later this year. Supervisor Slater said the Town Comptroller just told him she is not aware of a grant specifically for the Nor-West program that the Town gets from the State of New York.

Supervisor Slater told Mr. Morabito that this will be fixed and he will not need to come back to the Board next year. Mr. Morabito thanked the Town Board.

MOHEGAN LAKE AUDI TEMPORARY CERTIFICATE OF OCCUPANCY

John Landi, Building Inspector, said Mohegan Lake Audi is under construction and had two huge trailers in the parking lot. He said they have basically finished the main building and the repair shop; everything that has to do with the building end of it. He did a thorough fire inspection there today and a safety inspection and said they are 99% done with the building, other than a little cosmetic work, nothing major. They removed the trailers so they can start working on the outside work that is required of them, but for them to occupy the building legally the Building Department needs to issue a TCO (temporary certificate of occupancy). Mr. Landi said he is very comfortable in issuing a TCO for the job, as all they are doing is incidental blacktop, doing some plantings, and things of that nature. He said they need to be able to put the salespeople inside the building; otherwise they would be sitting in the parking lot.

Councilwoman Roker asked Mr. Landi to check to see how TCOs are issued because she believes the Building Inspector must give the Town Board a punch list and give a date when those items must be completed. She said they do not just get a “yes” from the Town Board; a resolution is needed. Mr. Landi said he would check but that is not the way they have done it the past several times with many projects. He said he would check on this if that is Councilwoman Roker’s request, to which Councilwoman Roker said it was not a request; it is the law. Mr. Landi said he would double check, but that is not the way he read it. He said the law says he needs to come to the Board for permission to issue a TCO.

Councilwoman Roker explained to Mr. Landi why this is so. She said Yorktown had a store that received a TCO that went on for years. The building inspector came back to the Board very upset because the punch list was not done. Mr. Landi said it is a 90-day TCO and they get one extension – this is according to the Town Code.

Councilman Diana suggested changing the code. He said he recalled the Town Board had issued a couple of them in the past and Mr. Landi came to the Board for permission and then followed up with the applicant to make sure they were in compliance with the 90-day timeframe.

Mr. Landi said that was exactly how he did it. He said at one point one of the applicants requested an extension, at which point, he is allowed to give a 30-day extension.

Supervisor Slater said he thought the Town Board needs to approve this by resolution. Town Attorney Adam Rodriguez said this was correct. Supervisor Slater said that, according to Mr. Landi, this project is good to go. He said they have the sprinklers in and have passed all of their safety inspections. He asked Mr. Landi to submit the punch list to the Board and they will prepare the necessary resolution for consideration at the next meeting.

Councilwoman Roker asked the Town Clerk to look up temporary certificates of occupancy in the minutes and pull them for her, which Town Clerk Quast said yes.

Supervisor Slater asked Mr. Landi to work with Mr. Rodriguez on a draft of the resolution.

PROPOSED DRAG RACING LEGISLATION

Supervisor Slater said this discussion was being tabled due to changes being made to the legislation that had been put forth by the Chief of Police.

COVID-19 MASK POLICY AT TOWN FACILITIES

Supervisor Slater said he provided an update to the community yesterday and the numbers are just not going in the right direction. He said the Governor came out recently warning New Yorkers can expect a second wave in the next six weeks into December, as it gets colder. The county infection rate is past 3.5%, near to 4.2%. That is for the entire county, not the Town of Yorktown. He said he anticipates County Executive Latimer joining him for an update at the end of the week, which will be useful for our residents. He said if you look at the trajectory or, as County Executive Latimer’s term - trend, the trends are going up in all the wrong categories. He said he wanted to hear from John Campobasso and Matt Talbert who both contacted him that, despite the Town’s best efforts, there still seems to be some compliance issues at town sports facilities and also our parks and playgrounds. Supervisor Slater said he had been contacted by people in Sparkle Lake, and people at Veterans Field making complaints of non-compliance. He asked Parks & Recreation Commissioners John Campobasso and Matt Talbert to share with the Board some of the things they have observed, as well as Parks & Recreation Superintendent Jim Martorano.

Commissioner Campobasso said that as organized sports began to end, more outside groups and individuals were using the fields to play. He said the rules that were established for use were definitely proactive, but oversight has fallen short. He said he is in full favor of making masks mandatory on all of the fields and in all of the parks because the situation is getting worse. He said this is one step to keeping the parks and fields open but if the non-compliance continues, he feels the parks and fields will have to be fully closed.

Supervisor Slater wanted to clarify that when Commissioner Campobasso said “oversight” he meant that the Town does not have the YAC, SOAC, or the YYSC there to enforce the parameters. Commissioner Campobasso said that is correct. The YAC, SOAC, YYSC all are ready to wrap up their season. He said their biggest hurdle has always been when the organized sports are not on the fields. The fields are there for use and there are rules in place, but there is nobody there to enforce them. He said people drop their kids off – if you go up on a Saturday, you will see hundreds of kids on the fields, and it’s not organized. You do not have coaches and commissioners telling the kids to put on masks, and that has definitely fallen by the wayside and he fears that it is just going to get worse if something is not done about it. He said enforcement of the rules is the key.

Councilman Patel asked if there was a written policy and Supervisor Slater said the Parks & Recreation Department has a written contract that includes a COVID-19 policy that is being adhered to. He said the clubs did a great job implementing COVID-19 protocols during their seasons. YYSC continues to implement them as well and they do a good job of it. The fact of the matter is the Town has been down this road before. In the early spring the Town was forced to shut down its playgrounds and parks. He said he is not advocating for that but has to be realistic and pragmatic about the situation. The fact is the numbers are going in the wrong direction, and so the Town really needs to do what it must to contain the spread.

Commissioner Talbert said Granite Knolls has become a drop off place. He said he has witnessed parents or whomever dropping off young teenagers to a park that was pitch dark and no one on the field. He said they need to have some sort of enforcement, as has been said many times before. He said that Granite Knolls has to be closed at night. He said he watched with the security cameras kids sitting in the middle of the field and saw lighters lighting up. He said he ended up having to turn the lights on them to try to scare them out. He thought there were only three people and when he turned the lights on, it turned out to be ten people. Commissioner Talbert said he does not think parents or guardians realize the danger they are putting the kids in just leaving them in the dark.

Councilwoman Roker said it is against the law to be there after dark and asked Superintendent Martorano to confirm. Superintendent Martorano said she was correct.

Commissioner Talbert said that they do not have a sign up there yet that they have in the other parks that the park closes at dusk. He said they needed to put that sign up in multiple places. Supervisor Slater mentioned that they are installing a gate at Granite Knolls and Commissioner Talbert said the gate should be up in the next two weeks and the ability to close the park will be there but questioned who would be closing the gate.

Supervisor Slater asked Superintendent Martorano to weigh in on this since he had received complaints about people not adhering to social distancing and mask wearing at the Sparkle Lake Playground. Superintendent Martorano said he is more than willing to purchase some signs that say masks are required for all users. He said currently the signs say “all spectators” but if the Town Board is willing to make that change, his department can put up those signs. He said that at least park users would know that masks are required when they are on a Town facility and he thinks that is important. He said he would propose at their next year budget meeting that a park ranger would be helpful with implementing masks, and outside of COVID, with park rentals.

Councilwoman Roker said 4.2% infection rate is really getting up there. She said she thought the Town opened everything up when the Town went down to 1% and asked if this was correct. Supervisor Slater said it was below 1% and the Town was on a downward trajectory. He said the Town was very aggressive in the spring when they saw it coming. They did many things first because they wanted to be proactive in protecting people and providing information to people so they could make responsible decisions. The Town continues to put out the same information, the same guidelines, the same parameters, the same recommendations and yet, unfortunately, we are seeing lax compliance. Supervisor Slater said he thinks when it comes to town facilities and

properties, compliance is necessary. He said we are asking parents to make sure their kids are wearing masks, make sure they're not having sleepovers, make sure they are making responsible decisions that are going to help our schools stay open. He said that is the goal, but it is a fact that the Town has seen another increase today. There has been a 15 active case jump over the weekend. He said he does not think the Town is left with much of an option at this point than to mandate masks on our fields and town facilities in order to protect our employees, our residents, and the general public.

Councilwoman Roker said she appreciated the work Supervisor Slater has done and agreed with the mandate. She said for people who have underlying problems (herself included) it is a real problem. She said the idea that Yorktown, if the Town keeps going this way, may bet to the point of a community spread, which is the worst place the Town could be in, citing Port Chester as an example.

Supervisor Slater said this is clearly a second wave that the Town is in and it is up to us to protect each other and to protect our neighbors. He said he thinks the Town is at the point, short of shutting these facilities down and taking that away from the residents, which is something I don't want to do, the only other thing the Town can do is ask that a mask be worn when at our facilities.

Commissioner Talbert asked to make it clear who will need to wear masks – spectators, athletes, etc. and Councilwoman Roker said anyone. Commissioner Talbert said issuing the mandate is nothing if there is no enforcement.

Supervisor Slater said he was going to take a page out the Police Department's rule book – it is not always about enforcement; it is about a mindset. He said he recognizes that enforcement is a fine line – no one is trying to infringe on anyone's decision making – but at the same time, we have to look at the greater community and protect the greater community. He said right now the mindset needs to be because the Town is going in the opposite direction of where we want to and a second wave is here. The Town is going to have to tighten its belt and get ready to withstand this second wave.

Councilman Diana asked the Supervisor for the amount of active cases in Yorktown and was told 46. He said a lot of things were discussed this evening regarding the parks and fields, one of which was employing a park ranger. He said he thinks the Town has to bring the Chief of Police into this discussion regarding the ranger's duties and there is a law enforcement issue to address – what a ranger could and could not do.

Supervisor Slater said the park ranger position would not be discussed until next year because of budgetary constraints.

Councilman Diana said he understood that but would still want the Chief in on the discussion due to the law enforcement aspects that go along with park ranger. He said that years ago there were special police officers assigned to the parks who were actual police officer with the county police who then made them park rangers. He said the Town could put money into this but it has to be done correctly.

Commissioner Talbert asked if this would be a law enforcement-type park ranger as a name only and the Town would want this person to do other jobs as well at the location. Superintendent Martorano said there is a title for this position and he would work with the county and pull the job description for the Parks & Recreation Commission and Chief Noble.

Councilwoman Roker asked if he would need a police officer and if it would be possible that whomever is in the position would be able to call the police in the event there needs to be an arrest. Superintendent Martorano said of course, that is what the ranger would do. He said there needs to be some connection between his park ranger and the police department.

Councilman Diana said he was not enamored with the idea of a park ranger. Councilwoman Roker said not with that title. Councilman Diana said the Town has flex in the contract where we could take an employee and have them do other things and if they see a problem at the park, they can call the police to have them handle it.

Superintendent Martorano said Park Attendant is another county title that could be used. Park Attendant would be somebody to monitor the park and the renters. Park Attendant would be his secondary choice of title if the Town Board did not want a ranger.

Councilman Diana said this needs discussion because it gets complicated. Supervisor Slater reminded that this is a 2021 matter, not a COVID-19 matter.

Councilman Diana said that as far as the masks in the parks, he is for it as well as the signage. He said the Town should have the signage and put the onus on the parents and/or coaches or whoever happens to be there that they must maintain this, and that it is not a drop off point. All the signage should be up in place at these parks. He said the Town should gate the parks at night or dusk, get people to leave and if they do not, the police should be called.

Supervisor Slater verified with Commissioners Campobasso and Talbert that there are athletics going on at the schools and they are all required to wear masks and they both responded yes. Supervisor Slater said that policy is already in place for our youth at the school districts and the Town would just be mimicking the same concept for its parks. He said he would like to take it a step further and include Town facilities here. He said the Town facilities already signs up that say “Masks Required,” but would like to formalize that policy so to also protect our employees.

Commissioner Campobasso said despite all that has been done about communicating COVID protocols, he feels this is going to be impossible to implement. He said that so far rentals have gone fairly well, but with the current COVID concerns, many towns have stopped rentals. He feels that the Town needs to be very careful about bringing outside groups in at this point.

Supervisor Slater said the contracts include COVID-19 guidelines that they have to adhere to.

Superintendent Martorano said absolutely and going forward, if this goes through, they would also be mandated to have their kids wear masks on the field. Commissioner Campobasso said he did not dispute that but if the Town is trying to keep the fields open for residents, which is hard enough, why invite outside towns and entities in at this point.

Superintendent Martorano said that when you have organized sports on the fields, more rules are followed. When the park is left open without any organization, without adults or coaches present, less rules are followed. Commissioner Campobasso said he agreed but if they are worried about traffic, etc. at these places, maybe there should be a cutoff so that the Town is not doing that for the rest of the year.

Supervisor Slater asked who the Town has renting right now and Superintendent Martorano said he did not have the full rental list with him, but said there is a handful in November and none in December. Commissioner Campobasso said they should close down December 1. Supervisor Slater said in COVID terms December 1st is like a light year away and that things could change.

Commissioner Campobasso said the Town may just want to mandate the mask, but if you give people two weeks’ notice that this is when the park is going to close, you may be able to tailor it. He said it is great to put the masks in place but realistically, there is no to be able to monitor it.

Councilman Lachterman said the Town could use the closure of the parks as an enforcement. He said if we go up there and have problems, we are going to close the park. He said if the Town puts that out there and every does the right thing, the park stays open. If it becomes a public safety risk, they get closed.

Commissioner Talbert said that matters to our resident; it does not matter to outside people. To which, Commissioner Campobasso added, that’s what you are getting – outside people.

A discussion took place regarding the amount of non-residents visiting Granite Knolls and whether or not to close the parks earlier than December 1.

Supervisor Slater said the first step in the process is to mandate masks in our parks and town facilities, which will allow the Parks and Recreation Department to put a plan together to get us towards the end goal of eventual closure of the parks until the spring.

Superintendent Martorano said Yorktown is going to have to step up and wear masks at the fields. He said if we just want to shut down Granite Knolls and Legacy Field because those are the parks multiple municipalities use and we have the power of the gates to shut them down, that may be a direction to go in and for the more local parks and playgrounds, we would just still require the masks.

Superintendent Martorano said he can get the signs up by Friday and Councilman Diana suggested putting them up at the heads of the hiking trails and all parks and recreation areas. Superintendent Martorano said the signs have been up at the trails since the beginning of COVID and would check to make sure they are still standing.

Councilman Diana said then it is just a matter of getting the gates closed at Granite Knolls and Legacy Field at dusk. Commissioner Talbert said they do not have anyone who works at dusk and unless the police department does it, it is something they cannot get done.

Supervisor Matt Slater said they would have a conversation of flexing an employee to cover the gate closing.

A discussion took place regarding the gate closing and speaking with Chief Nobel and CSEA to make sure flex was an option.

Supervisor Slater said for the benefit of those listening that if you have not watched some of the updates, he just had the Commissioner of Health for Westchester County, Dr. Amler, on, and she explained that the mask does not protect you, the mask protects the people around you. By saying you do not want to wear a mask is because you do not think you need the protection, you are actually threatening everybody else around you. He said this is very important to understand. He said it is very clear that the Town Board was going to pass a resolution mandating masks to be worn at all of our parks and recreational facilities, as well as all of our town facilities, which can be revisited the closer we get to December 1. He also said he would work with Superintendent Martorano and his department on a plan to if the Town needs to shut down access to Granite Knolls and Legacy and any other of the parks due to the spread of COVID. He stated that the Town should be ready for it.

Commissioner Talbert asked if he was talking about masks or face coverings and Supervisor Slater replied that masks, gators, face shields are all acceptable options that the Department of Health, the CDC have greenlighted. As long as the nose and mouth are covered, that is fine.

Commissioner Campobasso said as much as he would like to have the parks open, he has incidents with people who do not want to put on face coverings. People were asked to leave at a recent girls' lacrosse program and it creates a tense situation.

Supervisor Slater said the face coverings provide a deterrent and also the mindset that has been talked about. He said it also gives our staff time to prepare for the potential closure since that is not something that you can snap your fingers and get done. It allows the community to ease into it, it allows the staff to prepare for it, and it also allows us to gauge if people are complying. Ultimately, if people are not complying, then the parks get shut down. He also said there has to be some parental guidance in allowing their children in the parks without face coverings.

A discussion took place about the gate at Granite Knolls and the use of a chain barrier and Jersey barriers the Highway Department installed.

Commissioner Talbert said Legacy is different than Granite Knolls, which is more of a public place. When you go to Legacy, you go with the purpose of playing baseball, soccer, lacrosse, or football. Granite Knolls has many other attractions for people to use and that there is not the same traffic at Legacy as there is at Granite Knolls.

FACE COVERING REQUIREMENT AT TOWN PARKS, RECREATIONAL FACILITIES AND TOWN FACILITIES

RESOLUTION #388

Upon motion made by Councilwoman Roker, seconded by Councilman Diana,

RESOLVED, that a face covering (i.e., intended to reduce the emission of virus-laden droplets) must be worn by individuals (except children under the age of 2 or anyone who has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the mask without assistance) in Town Parks, Recreational Facilities, and Town Facilities.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FROM THE GENERAL FUND
RESOLUTION#389

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

RESOLVED, the Comptroller is hereby authorized to process the following budget transfer for payment to Thompson and Bender for payment of Destination Y campaign.

From:		
A.1990.499	General Fund – Contingency	\$40,750.00
To:		
A.1220.442.1	Communications	\$40,750.00

APPOINT ROBERT GARRIGAN AS A MEMBER OF THE PLANNING BOARD
RESOLUTION #390

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

BE IT RESOLVED, that Robert Garrigan is hereby appointed as a member of the Planning Board to fill the unexpired term of John Savoca, such term to end on December 31, 2023.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

REAPPOINT LYNN BRIGGS AS A MEMBER AND CHAIRPERSON OF THE HERITAGE PRESERVATION COMMISSION
RESOLUTION #391

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

BE IT RESOLVED, that Lynn Briggs is hereby reappointed as a Member and as the Chairperson of the Heritage Preservation Commission for a term ending on October 31, 2023.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

REAPPOINT ADAM FETZER AS A MEMBER OF THE HERITAGE PRESERVATION COMMISSION
RESOLUTION #392

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

BE IT RESOLVED, that Adam Fetzer is hereby reappointed as a Member of the Heritage Preservation Commission for a term ending on October 31, 2023.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE WATER DEPARTMENT
RESOLUTION #393

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$35,000 from the Water Department Transmission Salaries line (SW.8340.0101) to the Water Department Maintenance of Equipment line (SW.8340.0418) to cover the cost of \$31,684.72 to repair the Vactor and miscellaneous equipment parts purchases/repairs for the remainder of 2020.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

EXECUTIVE SESSION

Upon motion made by Councilwoman Alice Roker, seconded by Councilman Tom Diana, the Town Board voted to go into Executive Session to conduct interviews. Upon motion made by Councilman Lachterman, seconded by Councilman Patel, to move out of Executive Session and adjourn the meeting.

ADJOURN MEETING

Upon motion made by Councilman Lachterman, seconded by Councilman Patel, the Town Board meeting was adjourned.

DIANA L. QUAST, TOWN CLERK
TOWN OF YORKTOWN
CERTIFIED MUNICIPAL CLERK